

Witness is a personal friend of W. "Bill" Hale and is alleged to know considerable with reference to the Bill Smith and other Osage Indian murders in Osage County.

Page 845, 2nd par.

Subpoena and question fully before using before Grand Jury.

This witness is a first class crook, a murderer and had a very bad reputation. Thru confidential informants is has been learned that he is yellow and will tell all he knows about the murders of Osage Indians when he is brought before a Grand Jury.

93-a-

13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62

2.
The witness is the Mayor of Fairfax,
Okla. and a very close personal friend
of W. K. "Bill" Hale. He is the guardian
of Molly Burkhart, who is the wife of
Ernest Burkhart and a daughter of the
now deceased Lizzie Q, Osage Indian
woman. It is alleged that this witness
knows considerable about the Bill Smith
blow-up, and the activities of Bill Hale
in various Osage Indian murders.

3.
Page 839,
2nd par.
and Page
799, last
par.

Subpoena and questions
fully before using be-
fore Grand Jury.

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-93B-

12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62

Okla.
Okla.
Okla.

Bill Hale, a partner of W. E. "Bill" Hale, on March 9, 1923, sent a Western Union telegram from Fairfax, Okla., to W. K. Hale at Campbell, Texas, reading, "Deal stands good. I will go in the morning." (Signed) L. L. Oller. (This was the date of the explosion at Bill Smith's house, and this message is suspected to mean that the deal had been made whereby Smith's house would be blown up.)

Page 145,
3rd par.

Subpoena and question
fully before using be-
fore Grand Jury.

1530

Henry Morgan, Manager of the Telephone Company, is alleged to have stated to Special Agent Weakley that immediately after W. E. "Bill" Smith died, March 14, 1923, from injuries received in the explosion of his home, L. L. Oller, Bill Hale's partner, called Bill Hale by long distance telephone from Ralston, Okla., talking to Hale at some point in Texas, (presumed to be Ft Worth) and the Fairfax operator listened in on the conversation. Mr. Morgan promised to get the name of this Operator and the gist of the conversation.

Page 145,
last par.

93-C-

12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59

MURDER
Oklahoma, Okla.

Material.

3.
4.
This witness is alleged to have stated that the day before the home of W. E. "Bill" Smith was blown up, Bill Smith told him, Beardmore, that he, Smith, expected to be murdered at most any time, as he, Smith, had just met Bill Hale on the road near Fairfax and Hale drew his six shooter on him and said to Smith, "You C-- D--- S-- of a B---- if I hear of you talking about these Indian murders, I will send you to hell."

Page B49
1st par.

Subpoena and question
fully before using be-
fore Grand Jury.

This witness was a close
friend of Bill Smith.

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93-D-

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

2. Special Agent Wren was advised by confidential informant that this witness knows a good deal about the Osage Indian murders, particularly the W. E. "Bill" Smith and wife murder; also is said to know something about the Henry Roan and Anna Brown murders.

3. Page 848, 4th par.

4. subpoena and question fully before using before Grand Jury.

This witness is a brother-in-law to Bryan Burkhardt and it is not considered advisable to interview him at this time.

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73-E-

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This witness was at one time, up until recently, employed by W. A. Adams to take care of cattle pastured on W. K. Hill Hale's land, and it is confidentially reported that this witness Medders has information with reference to the Osage Indian murders, and should be interviewed at the proper time.

Page 845,
4th par.

Subpoena and question fully before using before Grand Jury.

This man is friendly to the Hale faction.

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-93F-

12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

... is your close friend of
 ... Bryan Burkhart, and it is said
 ... have confided in him with reference
 to the ... murders, and that they have
 ... unken sprees with Bolton, even
 ... him that they were implicated
 in the ... murders. It is alleged
 ... witness overheard Bill Hale say
 that for \$100.00 he could get any S-- of
 a S-- dumped off in Osage County.

Page 849
 3rd par.

Subpoena and question
 ... using be-
 fore Grand Jury.

It is not considered
 advisable to interview
 this witness at this
 time, but should be
 subpoenaed for the
 Grand Jury and question-
 ed fully, as it is under-
 stood that he will talk
 if brought before the
 Grand Jury, after Hale
 and his allies are in
 custody.

93. J.

11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62

Okla.

This witness has stated that Bill Hale has and will run off several witnesses. Girdner claims to know all about the Smith blow up. He will be interviewed by an Agent of the Bureau at the proper time. It is alleged that Girdner has stated that he knows all about the Smith blowup.

Page 847, last par.

Subpoena and question fully before using before Grand Jury.

This man is an ex-boot-
legger.

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93. J.

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

It is alleged that this witness was at a dance some time after the explosion of Bill Smith's house, where she met and talked with Ernest Burkhart, who was drunk, at which time he told her he knew all about the explosion, and that later the next day came to her and told her to forget what he had said. She upon being interviewed by Agent Weakley stated she had worked for Ernest Burkhart, and that one time after the explosion she saw him at a dance and he was drunk, and they were talking about the explosion and he said that he was afraid for Mollie, his wife, that if it were not for the kids, he believed the parties who had done the other job would maybe do the same to them; that he did not say anything about his knowing who had done it; that the next day she told him he ought not to get so drunk as he told too much when he got drunk, and tried to make him believe he had told her lots, and he then told her that he did not know what he had told, but for her to forget what he had told.

Page 11c, Subpoena and question
2nd par. fully before using be-
fore Grand Jury.

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-95A-

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State Penitentiary,
Tulsa, Okla.

This party made the following statement
October 25, 1935, to Special Agents F. S.
Smith and J. V. Murphy; T. B. White,
Special Agent in Charge, and Luther
Bishop, State Bureau of Criminal Investi-
gation:

Page 820,
last par.

Subpoena for Grand
Jury.

1539

My name is Burt Lawson. I am 46 years of
age. I have been a resident of Osage Co.,
Okla., for 23 or 24 years. I am now serv-
ing a seven-year sentence at McAlester
State Penitentiary for second degree burg-
lary. Before being sent to McAlester I
last lived at Tulsa, Okla. The exact date
I have forgotten, but as near as I can re-
call, I was in the employ of W. E. "Bill"
Smith as a foreman on his farm and ranch,
located near Grayhorse, in Osage County,
Okla., covering a period from some time in
1918 up to some time in 1921. While, in the
employ of Smith, I lived in his ranch house
with my family. Some time around the early
part of 1921 I discovered an intimacy be-
tween my wife and W. E. "Bill" Smith, which
finally developed in breaking up my family
and caused me to leave the employment of
Smith.

Four or five months before I left the em-
ployment of Bill Smith and moved from his
ranch, and while I was in Grayhorse on a
load of feed, I met Bill Hale on the main
road going into Grayhorse, near Bill Smith's
house. Hale was riding a horse. Hale stop-
ped and said to me, "Do you know that
that God-Damn City S--- of a B--- Smith

- 96 a -

2. 3.
is ruining your home, you ought to take a gun and kill him." I told Hale, "Well, I don't want to get in any more trouble." After that I met Bill Hale pretty often, and every time I would meet him he would always tell me that I ought to kill that S-- of a B---- Smith for monkeying with my wife.

Some time in August, 1922, I believe, I was camped on a little creek near the cotton gin just outside of the city limits of Hominy, and Bill Hale came to my camp and told me he had inquired in Hominy where I was, was how he found me. Bill Hale said to me, "Burt, I've got a proposition to make to you. You was a damn fool for not killing Bill Smith the way he had treated you. I borrowed \$10,000 from Bill Smith and he is crowding me for it, and I haven't got the money at the present time to pay him. I'll give you \$5,000 if you will blow the S-- of a B---- up. I'll fix the nitroglycerine and all you have to do is put it under his house and set it off. That will get rid of him and I won't have to pay him the money." I said, "Bill I don't know how to use that stuff, and I'd be afraid of getting blowed up myself." Hale said, "Oh, I can show you how to fix it so there won't be any danger." Hale then picked

1131

Continued.

"Well, I'll get everything fixed and be back after you in the next three or four days." Three days after that, about eight o'clock at night, a Deputy Sheriff, I think, named Bloyed, or something like that, came to my cell and unlocked it and said, "Burt, come out here there is a party wants to see you", and told me to get my coat and hat. He then took me down and out of the North front door and pointed out to a car standing in front of the jail and said, "The party that wants to see you is in the car." I went out to the car and found Bill Hale in it. He told me to get in, which I did and he drove off to Fairfax. On the road to Fairfax, Hale told me that he had everything fixed and that I could do a good job and nobody will ever know anything about it, and said, "As soon as you get through with it I'll give you \$5,000 cash." Hale was driving a big Buick car. We went to Fairfax and to Ernest Burkhardt's house. When we got there we went in to the front room and found Ernest Burkhardt there. Burkhardt said something about his wife was not at home, and I did not see any one there but Ernest and Bill Hale. We all sat down, and Hale told Ernest Burkhardt to get us a drink. Ernest went out and came back with some whiskey and we all drank. Hale then said that Bill Smith and his family were at a show,

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WATSON
continued.

all went out and got in the car. We drove down to an alleyway that leads in behind where Bill Smith lives, and drove down this alleyway a short piece, and I got out and took the box and fuse, and Hale and Ernest drove on away. I then went in the back way and into Smith's cellar, and placed the box in the far corner of the cellar, then laid the fuse out like Hale had told me, and the end of it reached clear out and into the alley behind Smith's house. I then sat down in the dark and waited. Finally Bill Smith, his wife and his hired girl came walking down the sidewalk from the North and went into Smith's house. I saw the lights turned on. I suppose they all undressed and went to bed, for pretty soon the lights went out. I sat there for quite a while, I had no way to tell what time it was, but I would figure it was about three quarters of an hour, and after I thought they were all asleep, then I lighted a short piece of fuse, that Bill Hale cut off the long piece for me before we left the house and fixed the ends, and touched off the long fuse with it. As soon as the long end began to smoke, I beat it as fast as I could for Ernest Burkhardt's, going down the alley. When I got to Burkhardt's house, Bill Hale was out on Burkhardt's porch waiting for me. I whispered to him and said, "Well I touched her off, the fuse was smoking when I left." I went again the house and Hale remained on the porch.

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PERSON,
determined

house and sell it all at the same time
and I could collect the insurance of
\$3,500, which would pay off the mortgage;
that he knew how to blow it up; that he had
blown up Bill Smith and knew how to use the
nitro, and tried to get me to let him blow
up my house. I told him no that I would
not do that. Burt at that time told me
that he could blow it up and it never would
be known.

APC
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BOYINGTON

Winning 1 St.
Miss. Oris.

Material.

Some time in September, 1924, Burt
Kearney, whom I have known for quite a
while and who had placed confidence in
me many times, while in a confidential
conversation, asked me then about the
mortgage on my place, and told me at
that time it would be an easy matter to
blow up my house and set it afire at
the same time and I could collect the
insurance of \$3,500, which would pay
off the mortgage; that he knew how to
blow it up; that he had blown up Bill
Smith and knew how to use the nitro,
and tried to get me to let him blow up
my house. I told him no that I would
not do that. Burt at that time told me
that he could blow it up and it would
never be known.

Page 826
last par.

Subpoena and question
before being in Grand
Jury.

6/21/24

-96B-

OSAGE
Fairfax, Okla.

This witness lived adjoining neighbor to Anna Brown. Anna Brown's house is now owned by Bill Hale. It is understood that this witness has material information regarding the Anna Brown murder, and will be interviewed at the proper time.

Page 641
6th par.

Subpoena and question fully before using before Grand Jury.

This witness is not inclined to talk at this time, but will be interviewed by an agent at the proper time. This man's wife, who is an Indian woman, is almost a nervous wreck after the reign of terror in Osage County, and Case had to take her from Fairfax for awhile after the Osage Indian murders.

15/51

12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62

Prison,
McAlester Penitentiary,
McAlester, Okla.

This witness made the following statement to Special Agents Smith and Murphy while at McAlester Penitentiary on Labor Day, 1925. Hal Buie and I met Kelsie Morrison near the entrance to the laundry in the prison yard. Kelsie had been sent up for a term of nine years. Kelsie said to me and Hal Buie, 'I wish I could get out of this damn place, if I could I'd blow me up some more Red Asses if they wasn't all broke.' I said to Kelsie, 'If you don't watch, Kelsie, you are going to get yourself in a crack that you can't get out.' Kelsie answered and said, 'Oh Hell, I'd do it after night like I did that, while nobody can't see me.' I said to Kelsie, 'Well, you get good money for the job.' Kelsie said, 'Yes, and it is liable to cost them a damn sight more before they get thru with it.'"

Page 816, Subpoena and question last par. before being before Grand Jury.

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Penitentiary,
Muskogee, Okla.

This witness made the following statement to Special Agents Smith and Murphy:

Page 829, Subpoena and question 2nd par. before Grand Jury.

"On last Labor Day Burt Lawson, a fellow convict, and I were walking around the yards at the Penitentiary, and met Kelsie Morrison near the entrance of the laundry. Kelsie Morrison remarked, 'I wish I was out of this damn place, I would kill me some more Red Asses if they had any money and were not broke', or words to that effect. Burt told Kelsie that if he did not look out he was going to get himself into trouble. Kelsie remarked, 'Hell, I'll do it at night like I did the other jobs, when everyone is asleep and no one can see you.' Burt then remarked that he could have put his finger on the fellow who did those jobs as soon as he heard of them being done. Kelsie said, 'I guess you could, you and I talked it over together.' Burt remarked, 'I know who paid you the money, and how much.' Kelsie then said, 'I don't care a damn for you knowing all about it, you wouldn't turn anybody in.' Burt said something about Kelsie getting good money for the job, and Kelsie remarked, 'Yes, and they are liable to be out a damn sight more before it is over with.'"

(This corroborates statement of Burt Lawson).

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-43B-

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... was made the following statement (Page 816,
Special Agents Smith and Murphy: Last par.

"While at McAlester Penitentiary on Labor Day, 1925, Hal Buie and I met Kelsie Morrison near the entrance to the laundry in the prison yard. Kelsie had been sent up for a term of nine years. Kelsie said to me and Hal Buie, 'I wish I could get out of this damn place, if I could I'd blow me up some more Red Asses if they wasn't all broke.' I said to Kelsie, 'If you don't watch, Kelsie, you are going to get yourself in a crack that you can't get out.' Kelsie answered and said, 'Oh Hell, I'd do it after night like I did that, while nobody can't see me.' I said to Kelsie, 'Well, you got good money for the job.' Kelsie said, 'Yes, and it is liable to cost them a damn sight more before they get through with it.'"

(This statement is corroborated by Hal Buie.)